

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SANDRA GLOWACKI, on behalf of her
minor children, D.K.G. and D.C.G.,

Plaintiffs,

v.

HOWELL PUBLIC SCHOOL DISTRICT,
and JOHNSON (“JAY”) McDOWELL,
individually and in his official capacity as a
teacher in the Howell Public School District,

Defendants.

Case No. 2:11-cv-15481

Hon. Patrick J. Duggan

Mag. Judge David R. Grand

JUDGMENT

On December 14, 2011, Plaintiffs Daniel Glowacki and his brother D.C.G. who filed this case through Sandra Glowacki as his next of friend, instituted this action against Defendants Howell Public School District and Johnson (“Jay”) McDowell, sued in his individual and official capacities, pursuant to 42 U.S.C. §§ 1983 and 1988 asserting claims arising under the First Amendment’s Free Speech Clause and the Fourteenth Amendment’s Equal Protection Clause. On November 15, 2012, Plaintiffs and each Defendant filed cross motions for summary judgment pursuant to Federal Rule of Civil Procedure 56. In an Opinion and Order entered on this date, the Court granted summary judgment in favor of Daniel Glowacki on his First Amendment claim against Defendant McDowell and otherwise rule in favor of Defendants.

Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Defendant Howell Public School District against Plaintiffs and Plaintiffs' claims against the School District are DISMISSED WITH PREJUDICE;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Defendants and against Plaintiff D.C.G. and D.C.G.'s claims are DISMISSED WITH PREJUDICE;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Plaintiff Daniel Glowacki against Defendant McDowell as to Daniel's First Amendment claim. Plaintiff Daniel Glowacki's remaining claims are DISMISSED WITH PREJUDICE;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff Daniel Glowacki is entitled to a declaration that Defendant McDowell violated Daniel's free speech rights pursuant to the First Amendment and the Court hereby so declares;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff Daniel Glowacki is awarded nominal damages in the amount of one dollar (\$1.00) from Defendant McDowell.

Dated: June 19, 2013

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

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